



UNITED STATES  
CIVILIAN BOARD OF CONTRACT APPEALS

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GRANTED IN PART: July 9, 2007

CBCA 759, 760, 761

PANAMERICAN CONSULTANTS, INC.,

Appellant,

v.

DEPARTMENT OF THE INTERIOR,

Respondent.

Philip J. Davis and William J. Grimaldi of Wiley Rein LLP, Washington, DC, counsel for Appellant.

Harriet M. Deal, Office of the Solicitor, Department of the Interior, Atlanta, GA, counsel for Respondent.

Before Board Judges **GOODMAN**, **McCANN**, and **STEEL**.

**STEEL**, Board Judge.

Appellant, Panamerican Consultants, Inc. ("PCI"), appealed three deemed denials by contracting officers of the Department of the Interior, National Park Service ("NPS"), regarding archeological survey services at Fort Campbell (contract no. 1443CX509097016), Fort Stewart (contract no. C509098044), and Fort Polk (contract no. C5890000029).

On June 29 the parties filed a joint motion for entry of judgment in these appeals together with a settlement agreement. The settlement agreement stated, in pertinent part:

18. NPS and PCI agree that payment from the United States to PCI for a total amount of \$1,450,000.00 (“Settlement Amount”) will constitute full and final settlement of these Appeals . . . .

. . . .

23. NPS and PCI understand that the settlement amount will be paid from the Judgment Fund, 31 U.S.C. § 1304. NPS agrees to submit the appropriate requests for payment of the Settlement Amount to the Department of the Treasury, Financial Management Service, within five business days after receipt of the Board’s entry of judgment (or comparable order), and to otherwise diligently and promptly pursue the applicable procedures to obtain payment to PCI of the foregoing Settlement Amount from the Judgment Fund.

In their motion, the parties state that neither party will seek reconsideration of, or relief from, the Board's decision, and that they will not appeal the Board's decision. Each party has also agreed to bear its own costs, attorney fees, and expenses of these appeals.

#### Decision

The appeal is **GRANTED IN PART**. Respondent shall pay to Panamerican Consultants, Inc. the sum of \$1,450,000. Payment shall be made from the permanent indefinite judgment fund. 31 U.S.C. § 1304 (2000).

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CANDIDA S. STEEL  
Board Judge

We concur:

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ALLAN H. GOODMAN  
Board Judge

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R. ANTHONY McCANN  
Board Judge